

Exhibit 10

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VIA E-MAIL

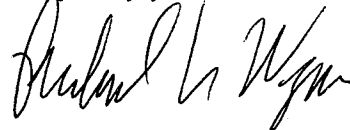
Richard Cobb
Landis Rath & Cobb LLP
919 Market Street
Suite 600
Post Office Box 2087
Wilmington, Delaware 19899

Re: *Wayne Berry*

Dear Rick:

As you know, we represent the Post Confirmation Trust in its ongoing litigation with Wayne Berry. Timothy Hogan, Mr. Berry's counsel, has demanded that we ask your client to return any software in its possession that is owned by Mr. Berry and to which it is not legally entitled. Our understanding is that Mr. Hogan has previously made this same request directly to you. As C&S has repeatedly represented that it does not unlawfully possess or use any of Mr. Berry's software (and both the terms of Fleming's asset sale to C&S as well as the Bankruptcy Court's ruling in the related confirmation proceedings have established that Fleming did not sell any such property to C&S), we have no independent knowledge of what software Mr. Hogan is referring to or the extent of C&S' legal rights in the same, and leave it to C&S and Messrs. Hogan and Berry to determine what, if any, software C&S would need to return to comply with Mr. Hogan's request. Nonetheless, despite the assurances that C&S does not possess or use any such software (and our inability to obtain any independent knowledge of the same), we are hereby requesting that C&S return such software, if any, to Mr. Berry.

Very truly yours,



Richard L. Wynne

cc: Robert Kors
Michael Baumann
Erin Brady
Timothy Hogan